## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

: CIVIL ACTION

LISA CARLSON,

Plaintiff,

v. : NO. 2:22-CV-00125

QUALTEK WIRELESS, LLC, : JURY TRIAL DEMANDED

:

Defendant.

## DEFENDANT, QUALTEK WIRELESS, LLC'S MOTION FOR COSTS AND <u>ATTORNEYS' FEES PURSUANT TO FED. R. CIV. P. 54(d)</u>

Defendant, Qualtek Wireless, LLC ("QW"), by and through its undersigned counsel, and pursuant to Rule 54(d) of the Federal Rules of Civil Procedure and Title VII of the Civil Rights Act, 42 U.S.C. §§ 2000e, *et seq.* ("Title VII"), respectfully moves for costs, totaling \$4,308.02, as the prevailing party in the present action. QW further moves for attorneys' fees, totaling \$181,113.00.

As set forth within the Accompanying Memorandum of Law, QW should be awarded its costs as the prevailing party in the present action. Furthermore, QW should be awarded \$181,113.00, representing a significant portion of, but not all of, its total attorneys' fees, as prevailing defendants are permitted to recoup reasonable attorneys' fees in Title VII actions; and Plaintiff's present action was frivolous, unreasonable, and/or without foundation. For the reasons set forth within counsel's attached Declaration and the accompanying Memorandum of Law, each of QW's attorneys' fees should be considered reasonable.

QW assumes that Plaintiff disagrees with its position with respect to costs and attorneys' fees. Although QW's counsel spoke with Plaintiff's counsel's paralegal on August 16, 2022 and

informed her that Plaintiff's counsel needed to return counsel's call to discuss costs and fees, he never did so. On August 21, 2022, QW's counsel followed up with Plaintiff's counsel via email, and Plaintiff's counsel told him to "file what [he] want[ed]" because Plaintiff would be appealing the Court's decision. *See* Memorandum of Law, **Exhibit "2"**. Accordingly, QW respectfully believes it has satisfied its obligations under § IV(B) of the Court's Policies and Procedures.

WHEREFORE, Defendant, Qualtek Wireless, LLC, for the reasons stated in its supporting Memorandum of Law, respectfully requests that its Motion for Costs and Attorneys' Fees be granted.

## FOX ROTHSCHILD LLP

By: /s/ Colin D. Dougherty

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Dated: August 24, 2022 Attorneys for Defendant

**CERTIFICATE OF SERVICE** 

I, COLIN D. DOUGHERTY, hereby certify that, on this date, I caused the foregoing

document to be filed electronically with this Court, where it is available for viewing and

downloading from the Court's ECF system, and that such electronic filing automatically generates

a Notice of Electronic Filing constituting service of the filed document, upon interested parties.

By: /s/ Colin D. Dougherty

COLIN D. DOUGHERTY

Dated: August 24, 2022